

ORIGINAL

FILED
Clerk
District Court

JUN 19 2006

For The Northern Mariana Islands
By _____
(Deputy Clerk)

CaiWei.rem

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Attorneys for the United States of America

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN MARIANA ISLANDS

UNITED STATES OF AMERICA,)	CRIMINAL CASE NO. 04-00035
)	
Plaintiff,)	
)	
vs.)	PETITION TO REMIT SPECIAL
)	ASSESSMENT FEE AND ORDER
CAI, WEI)	OF REMISSION [18 U.S.C. § 3573]
)	
Defendant.)	

COMES NOW the United States of America, by and through its undersigned counsel, and respectfully petitions this Court pursuant to 18 U.S.C. § 3573 for the entry of an order remitting the unpaid special assessment fee earlier imposed upon Defendant CAI, WEI and in support hereof, states as follows:

1. On March 4, 2005, sentence was imposed by this Court against Defendant CAI, WEI. Among other things, a \$100.00 special assessment fee was ordered. The total amount now owed by said Defendant is \$100.00.

2. Upon information received from the Immigration and Customs Enforcement Deportable Alien Control System (ICE/DACS), the defendant, CAI, WEI was deported to China on September 30, 2005. See Exhibit "A."

3. Section 3573 of Title 18, United States Code, as amended, provides in pertinent part as follows:

1 Upon petition by the Government showing that reasonable efforts to
2 collect a fine or assessment are not likely to be effective, the court may, in the
interest of justice --

3 (1) remit all or part of the unpaid portion of the fine or special assessment,
including interest and penalties

4 4. The United States Attorney has determined that in light of Defendant's
5 deportation, there is no reasonable likelihood that expending further efforts to collect the special
6 assessment fee will produce any revenue to the United States. To the contrary, any further efforts
7 will needlessly expend resources that could be better directed to areas with greater potential for
8 recovery.

9 5. The interests of justice mitigate in favor of remission of the unpaid special
10 assessment fee.

11 WHEREFORE, the United States of America respectfully requests that this Court enter
12 an order remitting the unpaid special assessment fee imposed upon Defendant.

13 DATED this 1st day of June, 2006.

14
15 LEONARDO M. RAPADAS
16 United States Attorney
Districts of Guam and NMI

17
18 By:


19 MARIVIC P. DAVID
20 Assistant U.S. Attorney


21 **ORDER OF REMISSION**

22 Based upon the foregoing, and in the interest of justice, the unpaid portion of the special
23 assessment fee imposed against the defendant CAI, WEI, including any interest and penalties, is
hereby remitted.

24 DATED this 19TH day of JUNE, 2006.

25
26
27 RECEIVED

28 JUN 19 2006


ALEX R. MUNSON
Chief Judge
District Court for the
Northern Mariana Islands

A-NUM : 076598083

LAST-NAME : CAI

NATLTY: CHINA

FIRST-NAME: WEI

DATE-DOCKET-CLEARED: 10/07/2005

DEPART-CLEARED-STAT: 8

TRANSFER-TO-DCO:

DATE-DOCKET-TRANSFER:

DATE-DEPARTED: 09/30/2005

PORT-DEPARTED: AGA

DEPART-COUNTRY: CHINA

FINAL-CHARGE: I7B2

EXPENSE-CODE: 5

HIT PF4 TO RETURN TO CASE SELECT SCREEN OR ENTER FOR NEXT SCREEN

